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Town Supervisor

TOWN OF CORTLANDT

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2015 Master Plan Committee Meeting

The **Master Plan Committee** Meeting of the Town of Cortlandt was conducted on February 12, 2014 in the Vincent F. Nyberg Meeting Room of the Cortlandt Town Hall located at 1 Heady Street, Cortlandt Manor, NY 10567 with the following committee members and appointed staff in attendance:

Master Plan Committee:

Supervisor Puglisi D. Puglisi, Town Supervisor	Barbara Halecki
James Creighton	Adrian C. Hunte
David Douglas	Daniel Hayes
Michael Fleming	Theresa Knickerbocker
Seth Freach, Town Councilman	
Dani Glaser	

Absent:

Michael Huvane
Maria Slippen

Staff Advisors:

Edward Vergano, P.E., DOTS Director
Chris Kehoe, AICP, Deputy Director of Planning
Rosemary Boyle-Lasher, Assistant to Director of DOTS

Also in Attendance:

JoAnn Dyckman, Town Clerk
Tom Waitkins, Assessor
Thomas Wood, Esq., Town Attorney

Supervisor Puglisi began the meeting by thanking the committee members for attending. She spoke about the status of the grant and explained that an RFP (Request for Proposal) went out to obtain a consultant to assist with the Master Plan. The Town Board officially retained AKRF. This firm helped write the grant and was involved with the first Master Plan in 1992. They are familiar with our Town and Staff. They will begin working with us, most likely in April. The grant is for \$175,000, with our portion being \$58,000 for "in-kind" services.

JoAnn Dyckman, the elected Town Clerk (a 4 year term) reviewed her PowerPoint presentation (which can be found at www.townofcortlandt.com).

She outlined the major tasks that happen in the clerk's office, under her direction:

- The Registrar of Vital Statistics - is a New York State appointment, under the State's jurisdiction. It records all births and deaths that occur in the town, which are many because the Hudson Valley Hospital Center is located in the Town in addition to three Nursing Homes. This is a large portion of what tasks are performed in the outer office and clerk window.
- Records Access Officer - is two fold because the Clerk is in charge of all the archival records in the town (New York State lays out records retention requirements -that says how long the records must be kept). FOIL requests (Freedom of Information) - are also processed through the Town Clerk. They may receive 200 - 300 requests per year.
- Election Liaison - The Clerk works with Westchester County, who took lead control about 5 years ago, of elections that happen locally. However, they depend on the local municipalities to do a large portion of the work.
- Clerk to the Town Board - JoAnn stated she devotes a lot of her time to this duty. She attends Town Board meetings and work sessions, keeps track of agendas, helps the Supervisor and Town Board with resolutions, and does all of the after meeting work (i.e. execution of contracts) and anything that needs to be done with a resolution after it is voted on by the Town Board.

A brief outline was reviewed of the Clerks responsibilities for the Town Board. JoAnn mentioned that they use a software program called Laser Fiche, to a large extent. Scanned documents dating back to the 1970's are searchable and this program is used everyday in the office.

Additional duties, not directly related to the Supervisor or Town Board but that are handled through the clerks office were reviewed. There is a customer service window at the Clerks office. There is a lot of interfacing with public at the window and over the phone. The Clerks office produced \$75,000 in revenue in 2013, with 75% of that coming from vital statistics. Permits and Licenses that can be obtained from the clerk were listed on the PowerPoint. Half of these do produce revenue. Most of the licenses are regulated by the State.

Next a synopsis of the registrar of Vital Statistics was listed. JoAnn mentioned that this is a time consuming job. JoAnn reviewed what the Clerk still does as it relates to elections, including Election Day and Primary Day. The entire PowerPoint presentation can be viewed at www.townofcortlandt.com.

Linda concluded the presentation and added that JoAnn does a terrific job as the Town Clerk. (This is her 17th year holding that position).

David Douglas asked a question regarding maintaining and scanning documents: Is there a movement to reduce the number of paper documents? He asked if they were even allowed to do this and if the paper documents could be converted to electronic? This would help to reduce the

storage space needed for the paper documents. JoAnn referenced the records retention schedule from New York State that must be adhered to. It tells you what records are permanent and which paper records can be destroyed after a certain number of years. So these are continuously reviewed. She added there still are many permanent records. With the software program, these records can be reviewed without going through the boxes. David noted that the records have to be maintained but not used. Seth Freach asked the definition of a record: Could a document be scanned and then shredded and then would the record still be considered "maintained"? JoAnn does not shred any documents unless Records Retention tells her it is no longer needed. JoAnn was the first clerk in the County to use the Lasher Fiche program (through a grant).

Tom Waitkins the Town Assessor presented his PowerPoint to review the duties of the Assessor's Office: (The entire PowerPoint can be viewed at www.townofcortlandt.com). Tom is the appointed Town Assessor, not elected.

The major responsibilities of the office were reviewed: The Town has 15,400 parcels in the Town of Cortlandt, which is the second largest town in the County, behind Greenburgh.

Major Responsibilities:

- If there is a mandate for Assessors, it is to maintain a fair and equitable assessment roll. The last valuation was in 1953.
- Maintain up-to-date inventory, with inventory being whatever is on the site/property.

Adrian Hunte asked Tom to explain how to maintain a fair and equitable assessment role, with the last valuation being completed 60 years ago?

Tom Wood explained that even though our assessment role is based on 1953 valuations, every year the state prepares actual sales within the town and converts the 1953 assessments into the market value of today. This is known as the equalization rate. The equalization rate is a percentage that is given annually to each town by which it can convert the 1953 values into today's values. In many cases, they come to within 10 -15% of the actual value. There has been discussion in Westchester to do a "reval". Tom noted the problem with the reval in Westchester County, is that if everyone does not complete it at the same time or implement it at the same time, it can create a shift of values that would be harmful to a community that did a full reval. The last time the State suggested this, the cities would have the right to opt-out after the valuation was done and not implement it. This would have meant, if the town revalued their properties and brought values up to market value there could be a possible shift in the County taxes (our assessment role only is used for the Town and Westchester County taxes). Everyone in the county would have to reval at the same time to make it fair and equitable.

A few towns have revalued. It is costly to do. We were against it, unless it was done across the board. Linda explained that through research it was determined that with a reval, usually one-third will go up, one-third will go down and one-third will remain the same.

David Douglas asked the advantage of the reval. Tom Wood answered that the States thought is

that it would make the management of the rolls of the future a bit easier, because once you are at 100% assessment, the roll can be trended. It is easier to maintain a more accurate value going forward.

It was asked, would it make it easier to win the appeals and Tom Waitkins answered "no". The judicial side of the appeals process seems to reveal some flaws. It was hopeful that being at full-value would make it easier to defend the value and defend the roll but that hasn't been happening. Tom Waitkins did note that much of the real estate in the town has been built since 1953, so they are not stuck with that older assessment.

Tom Waitkins continued to speak about the responsibilities of his office and noted that they try hard and succeed in helping and dealing with all customers, especially senior citizens. When assisting the public, he requires his staff to standing up at the counter, no cell phones allowed, and to give the people at the counter their utmost attention.

The property cards have all been digitized. Each property has a card with the inventory information on it. All the cards were scanned in 2013, at Town Hall. He spoke about the WebGIS. Everything on the WebGIS, the data (section, block, lot), comes from the Assessor's office. The property cards are not available for the general public to view on WebGIS, but soon. (No fee).

In 2013 everyone had to re-register for the basic star exemption in order to get rid of any fraud in the STAR (School tax exemptions) system. Enhanced STAR has different requirements (age, etc.) and residents need to re-register every year because it is income based. All is mandated by New York State.

Tom continued to discuss grievances (see PowerPoint). 85% of the properties in Cortlandt are residential. The Taxable Status Date is when Assessor's take a snap shot of what is on a property. Whatever is there on the property on May 1, 2014, is what is assessed on that roll. The roll has to become final at some point. This is a State law.

Seth Freach added that like the school districts, the County does not have an Assessment office; they depend on the Town's assessment. The Villages maintain their own assessment record, which is their option. They have their own grievance process, of which the Town does not have a part in. Schools and Counties, by State law must use ours. Supervisor Puglisi has suggested to the Villages, to do a Pilot program with a certain number of properties (as a shared service) with the Town Assessor.

Jim Creighton asked once the cards are available to be viewed by the public will there be a limit to what can be viewed? All cards will be able to be viewed, their will be no limit. It is public information. The legal department is working on a disclaimer before this information can go public. There are many older records, which may not be correctly updated - this needs to be noted in the disclaimer.

Supervisor Puglisi thanked Tom Waitkins for his excellent presentation.

Thomas Wood, the Town Attorney spoke that there is a local law, in the Town Code, that establishes the Department of Law. He is appointed by the Town Board, and it is a two year term. (This is Tom's 36th year, 6 as an Assistant Attorney and 30 as Town Attorney). It is a Town office set by State Law. Once appointed he can only be removed for cause. Tom is the Chief legal officer and he coordinates all the different issues that arise. Insurance claims, under \$2,000 are handled internally in the Legal office. This saves the claims adjuster fees.

The Town Attorney also Defends the Town.

- Article 78 Proceedings - are when someone disagrees with an administrative decision (Town Board, Zoning Board, Planning Board), it is the persons right to challenge this in court and to have a judicial review of what occurred.
- Tax Certiorari - in New York State, once you go through the Board of Assessment Review, if you are still dissatisfied, you have to file a petition to go to Court.
- In Rem - Westchester County is one of two counties in New York State, in which the towns are responsible for collecting back taxes for the school and for the county. The Town has a fund in its budget to cover the taxes owed to the county or schools. When a property tax is unpaid for two years, it is eligible to be foreclosed. The sale of the property is forced so you can obtain the payment for the town and get the property back on the tax roll.
- Workers compensation - in 1991 the Town of Cortlandt elected to be self insured in Workers Compensation. We do hire a third party administrator, but all claims go through the Legal Department.
- Insurance Defense - Carriers provide defense council, all of them are coordinated by Tom Wood. Tom can update the Town Board on any pending claims.

Tom noted that there are times when outside Counsel is needed and noted several examples.

The Major Responsibilities of the Town Attorney's office are that they advise all Boards. The Deputy Town Attorney goes to all the Planning and Zoning Board meetings. Tom Wood goes to all the Town Board meetings and work sessions and works closely with the Town Clerk with resolutions. The Town Attorney also attends the Northern Westchester Joint Waterworks meetings. When there was a federal mandate to filter water, Yorktown, Somers, Montrose Improvement District and Cortlandt created a joint water works. A joint water works allows entity's to come together and it becomes a public benefit corporation. By law, it has a board of trustees. Together, now we filter all the water. The Town Supervisor is on the Board of Directors.

The town has 200 employees, some are contractual, others are in the Teamsters Union; in addition there are blue and white collar workers, that are in the AFSME Union. Labor Management meetings are needed to be held at various times.

The Legal Department does interface with all the Departments in the town (see PowerPoint). Supervisor Puglisi added that the Town Attorney is intricately involved with every office and also with the Town Board and Town Supervisor. He always advises very well and she thanked him for attending the presentation.

The finance overview was given by Supervisor Puglisi (A packet of information was distributed).

Supervisor Puglisi reminded all that the Budget Hearings are always televised and can be viewed on Channel 78 and the town's website.

The finances of the government are the foundation. Supervisor Puglisi has always pledged to the taxpayers to keep the town taxes as low as possible, maintain our services and come up with innovative ideas and projects, she stated.

The Town of Cortlandt town taxes have only increased 1% over the past 23 years (during Supervisor Puglisi's administration). We have no input into the school or county taxes, they have their own boards. The town tax is 11% of your annual tax bill. The school tax is the largest 69%.

The town government moved to Town Hall in 1992. It is completely paid for purchased from Lakeland School District.

The annual budget for Cortlandt is 37 million dollars with 200 employees and 200 summer staff. Supervisor Puglisi calls the town the original "tax cappers". Several years ago Governor Cuomo said that local governments, (for property taxes) that it is mandatory now to have a tax cap of 2% on the tax levy. That number is now down to 1.66%. Cortlandt has been doing this while some towns have not been able to and has been below 2%, twenty of the twenty three years of this administration.

In Cortlandt there has been:

Twenty-three years of a balanced budget,

Twenty-three years of no deficit.

Twenty-three years of increased savings account (which has actually tripled since 1992). This is important because government is not-for-profit but money is needed in your fund balance, savings accounts and surplus funds for emergencies that may occur.

Twenty-three years of low town debt. Our bonding capacity is 385 million dollars. Current bond debt is approximately 10 million dollars. When we borrow it is typically for twenty years. We never borrow for vehicles or storm clean-up, only for capital projects.

Even with the low taxes we have made improvements (approximately 125 million in capital projects).

The Town Board members vote on everything and we try our best to keep spending very low.

The annual tax increase for 2014 was 1.9% (due to the escalating cost of insurance for the employees, cost of supplies, fuel and pension mandates, etc.). For the average assessed house in Cortlandt, the taxpayer is paying \$32. per year, \$2.66 per month, or .61 cents per week in 2014.

Supervisor Puglisi reviewed a tax letter that is available to explain to the tax payers on the breakdown of the taxes paid.

Supervisor Puglisi explained the process with the budget: New York State law dictates that the elected Town Supervisor must present the next year's fiscal budget, no later than October 31st, every year. Linda and Glenn Cestaro work on it every year to meet the deadline and then hold a press conference. After that the Town Clerk records it and it is called the proposed budget. Next the Town Board has open workshops. Then by-law, by December 20th the budget must be adopted by the Town Board for the next fiscal year.

To help save money in the budget, several town departments were consolidated and the police department was eliminated in the late 1990's. Presently, we share services with the County Police and the New York State Police (we built the State Police building in Cortlandt and the WCP have offices at Town Hall) and have saved over 1 million dollars per year. The State Police pay off the bonding for their offices in Cortlandt.

We are conservative in our budgeting; anything over \$100, the Supervisor signs the Purchase order.

Open Space is important to us. We've added over 3,000 additional acres to the Open-Space inventory, since 1992. Open Space does help the value of our properties. We have paid cash for all open space acquisitions or have land deeded to the Town by property owners.

Supervisor Puglisi added that grants are critical. Chris Kehoe is our main grant writer. We lobby the state and the county to fund many projects and programs, through grants. We have been highly successful in receiving grant funds. We will continue to do so.

In the 2014 budget:

- 1.3 million dollars from the fund balance was put into the budget to offset any tax increases for the residents. We have done this every year, while still keeping savings.
- Revenues: The property tax only covers 60% of our revenues. Some departments generate some funding. Also, we receive state aid (it has remained the same for fifteen years), mortgage tax revenue and sales tax.
- Budget appropriations include salaries and benefits,
- Town debt is very low (below \$10 million dollars).
- Mortgage tax revenue: In the past it could generate \$3 million dollars per year, now we only get \$1 million, since the 2008 recession.
- Sales tax revenue: Is shared throughout the whole county. Approximately 2 -3 million dollars per year is received.

- Approximately 1% of all residents do not pay their taxes every year. It has gone up to 2% during the recession. In Rem Sales are held every two years.

Supervisor Puglisi was hopeful that this information has been helpful to the committee members.

Rosemary explained that very soon instead of the Town Departments talking to the committee, the committee members will be doing the talking. The Supervisor thought that the consultant, with the staff, may give the committee members a survey to get an idea of the priority issues for the committees' work on this Master Plan.

At the next meeting Mary Breining will do the presentation for the Tax Receiver's office.

Dani Glaser invited everyone to attend the Energize Cortlandt event at the Hendrick Hudson Free library on February 26th. She also spoke about the Climate Change Workshop being held on February 21st.

Seth Freach is chairing a Solar Task Force that will be meeting in early March. They will be looking into putting solar panels on municipal buildings where it is financially and environmentally advantageous to do so. Grants will be sought to implement the task forces ideas.

Supervisor Puglisi concluded the meeting by speaking about the two young men that had passed away from drug overdoses and mentioned the Community Forum that she will co-host with the Superintendent of Hendrick Hudson Schools on February 25th at 7 p.m. at Hendrick Hudson High School. She is hopeful that everyone will unite to see what can be done to help with this serious problem in our society and in our community.

Minutes submitted by Judi Peterson